

PM Supported AAA Bills

1 State Enacted Legislation (KY)
1 Governor Vetoed Legislation (IN)
2 States with Bills Awaiting Governor's Action (GA, VA)
15 States with Pending Bills

32 States in Session
10 States have Adjourned

Legislative Activity:

Recent:

Arizona House Rules Cmte reported S1384 to floor.

Delaware House passed H440 with uniformity amendment sending it to the Senate for action.

Georgia Governor scheduled to sign H1365 tomorrow (4/2).

Kansas Senate removed amendment on uniformity on reconsideration; passed bill, which goes to House for concurrence.

Virginia bills await Governor's action.

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State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
New Mexico (budget and limited policy bills) Enforcement Information Request letter from PM sent to: Mary Ann Woodard Dir. of Alcohol & Gaming P.O. Box 25101 Santa Fe, NM 87504 2nd letter sent to Woodward 2/29	Adjourned 1/16-2/15/96 No activity this year because of budget session		License - Tax & Revenue Dept. - One time registration (Sec. 7-1-12 & 7-12-9) No provision Sale to Minors --Misdemeanor: Fines up to \$1,000 (HB 582, Ch. 244) Purchase by minors prohibited- up to \$100 or 48 hrs comm. serv. Minimum Age = 18 No provision Warning Sign Required (HB 582, Ch. 244) Unannounced Inspections - Alcohol & Gaming Div of Dept of Reg. & Licensing Vending --Restricted to areas not accessible to minors (HB 582, Ch. 244) No provision Local law must be consistent with State law, (HB 582, Ch. 244) Requires manufacturer's sealed package with federal warning. (HB 582, Ch. 244)	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of age • Post signs • Reporting • Vending • Line of sight • Other

State (By Adourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
Utah Enforcement Information Request letter from PM sent to: Val Oveson State Tax Commissioner 210 North 1950 West Salt Lake City, UT 84134 2nd letter sent to Oveson 2/29	Adjourned 1/15-2/28/96 Retailers opposed to legislation on sale of tobacco.	<ul style="list-style-type: none"> No proposed legislation. 	License -- Tax Commission, Annual \$10 (Sec. 59-14-201(1); 59- 14-202(1)(2)(3); 59-14-203) No provision Sale to Minors --Class C - Class A misdemeanor (Sec 76-10-104 & Sec. 76-10-105); Purchase by minors prohibited-same as above. Minimum Age = 19 No provision No provision Unannounced Inspections-- Local law enforcement, may use minors. (Sec. 77-39-101) Vending-- Restricted to areas not available to minors. (Sec. 76-10- 105.1(1)(2)(3)) No provision Localities may supersede state-- Sec. 10-8-47	<ul style="list-style-type: none"> License Revocation Enforcement Minimum Age Proof of age Post signs Reporting Vending Line of sight Other

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
Georgia Enforcement Information Request letter from PM sent to: Marcus Collins Commissioner Dept. of Revenue 270 Washington St. S. W. Room 410 Atlanta, GA 30334 2nd PM letter sent to Collins 2/29 Response to 2/29 letter: From Chet Bryant, Dir, Dept of Revenue, on 3/11. Referred to Capt. Larry Miller, Dept of Public Safety, who is responsible for SAMHSA reporting. PM letter to Miller 3/21.	Adjourned Bill before Governor 1/8-3/18/96 Retailers opposed to license revocation. B & W and STC oppose line of sight. H1365 1/96--H1365 referred to subcmte of House Agriculture Cmte. 2/6--Subcmte reported bill to full cmte. 2/8--Full cmte hrg held. 2/13--Cmte reported to floor with technical amendment. 2/29--House passed by 91-4 vote. 3/5--Referred to Senate Judiciary Cmte. 3/13--Cmte reported bill to floor. 3/14--Senate passed without amendments by 40-0 vote, sending bill to Governor. 4/2--Governor scheduled to sign bill.	<ul style="list-style-type: none"> Requires proof of age if seller believes purchaser may be under 18. Affirmative defense. 	License --Commissioner of Revenue. (SB 222, Ch. 12, Title 16, Sec. 48-11-4) No provision Sale to Minors --Misdemeanor not to exceed \$1,000 or jail 1 yr. (SB 222, Ch. 12, Title 16. Sec. 16-12-170, 16-12-171, 16-12-172.) Purchase by minors prohibited-same penalty. Minimum Age = 18 No provision Warning Sign Required (SB 222. Ch 12, Title 16, Sec. 16-12-172 & 16-12-173) Unannounced Inspections --Dept of Public Safety w/ local police (SB222, 1993; Title 16, Sec 16-12-175) Vending --Must be registered and located in places inaccessible to minors.(SB 222, Ch. 12, Title 16, Sec. 16-12-173) No provision	<ul style="list-style-type: none"> License Revocation Enforcement Minimum Age Proof of age Post signs Reporting Vending Line of sight

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Washington Enforcement Information Request letter from PM sent to: Liquor Control Board Chairman, (currently vacant) 1025 W. Union P.O. Box 43076 Olympia, WA 98504- 3076 2nd letter sent to Liquor Control Board Chairman 2/29	Adjourned 1/8-3/7/96		License -- Dept. of Revenue Vend. Machine \$30/ann; Retailer \$93/ann (HB 2071; Ch 321, Sec. 7; Code 19.91.130, 82.24.510, & 2.24.530) May suspend/revoke for 5 yrs for sale to minors (HB 2071; Sec 26.28.080(4), 82.24.510, & 82.24.530) Sale to Minors --\$100 - \$1,500 fine and suspension/revocation of license. (HB 2071; Sec 6.28.080(4), 82.24.510, & 82.24.530) Purchase by minors prohibited-infracton. Minimum Age = 18 Proof of Age Required --If there is a question of age, retailer, sampler, or agent, shall require proof of age. (HB 2071; Sec26.28.080(4), 82.24.510, & 82.24.530) Warning Sign Required (HB 2071) Unannounced Inspections -- Liquor Control Board w/local health and law enforcement (HB 2071) Vending -- Restricted to places where minors are prohibited/no less than 10 ft from entrance/exit. (SB 6356, 1994; HB 2071, 1993) No provision Local sales and promotional restrictions must conform to state law (HB 2071, 1993) Requires original, unopened package. (HB 2071, 1993)	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of age • Post signs • Reporting • Vending • Line of sight • Other

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Virginia Enforcement Information Request letter from PM sent to: R. Neal Graham Director Tobacco Use & Control Division Dept. of Health P.O. Box 2448, Room 245 Richmond, VA 23218-2448 Response 1/2: Not responsible for enforcement, but does conduct survey to determine rates of non-compliance. Provided no additional direction. Follow-up letter sent to Graham 2/29	Adjourned Bills before Governor 1/10-3/11/96 H1416 1/10/96--H1416 referred to House Courts of Justice. 2/10--Cmte reported to floor. 2/14--Amended on House floor to 18. House passed, goes to Senate Courts of Justice Cmte. 2/21--Senate Cmte reported with amendment on proof of age. 2/23--Senate passed 32-6, returns to House for concurrence. 2/28--House concurred; goes to Governor. H1231 1/10/96--H1231 referred to House Courts of Justice. 2/11--Cmte reported to floor. 2/14--House amended to include enforcement. House passed, goes to Senate Courts of Justice. 2/21--Senate Cmte reported with technical amendment. 2/23--Senate passed 30-0, returns to House for concurrence. 2/28--House concurred; goes to Governor.	<ul style="list-style-type: none"> Requires proof of age if purchaser appears to be under 21 18. (H1416) Enforcement by Dept. of Agriculture & Consumer Services. (H1231) Require machines to be within line of sight of employee or require tokens. (H1231) 	No provision No provision Sale to Minors --up to \$50 for 1st offense, up to \$100 for 2nd, up to \$250 for subsequent. (H2595; Ch. 305; Sec. 18.2-371.2) Purchase by minors prohibited--up to \$50 for 1st offense, \$100 for subsequent. Minimum Age = 18 No provision Warning Sign Required --Separate signs for retail and vending (Sec. 18.2-371.2(A)) No provision No provision No provision Requires manufacturer's sealed package with federal warning. (Chapter 675, HB 2595, 1995)	<ul style="list-style-type: none"> License Revocation Enforcement Minimum Age Proof of Age Post Signs Reporting Vending Line of Sight Other

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West Virginia Enforcement Information Request letter from PM sent to: The Honorable Gaston Caperton Governor Capitol Building Charleston, WV 25305 2nd letter sent to Governor 2/29 Response to 1st letter 3/5: From Colonel Thomas L. Kirk, Superintendent, State Police. State law prohibits the release of this kind of information without permission from person being investigated.	Adjourned Bills died 1/10-3/9/96 H4631 2/16/96--Introduction, referred to House Judiciary Cmte. S448 2/19/96--Introduced, referred to Senate Health & Human Resources and Senate Judiciary Cmtes. 3/9--Both bills died receiving no action. Cmtes heard Health Dept. bills on youth access.	<ul style="list-style-type: none"> Requires annual retail tobacco license from Alcoholic Beverage Control Commission, fee of \$20. Suspends license for up to 30 days for 3 or more violations within 2 years. Sanctions--\$100 for 1st, \$250 for 2nd, \$500 for subsequent in 2 years. Purchase--\$50 or 25 hrs comm. serv. for 1st, \$50 & 50 hrs comm. serv. for sub in 1 yr. Employee training & affidavit. Requires proof of age if reason to believe purchaser under 18. Affirmative defense provided. Warning sign to be posted. Unannounced inspections by Alcohol Beverage Control Commission along with law enforcement and minors. Requires supervision & lock-out device or restricts to inaccessible to minors. Line of sight provision. Uniformity-sale, distribution, display, advertising, promotion, use. Require manufacturer's original packaging. Prohibits sampling within 500 ft schools. 	No provision No provision Sales to Minors --\$10 - \$300; (Sec 16-9 A-2 & 16-9 A-3) Possession by minors prohibited--\$5 Minimum Age = 18 No provision No provision Unannounced Inspections -- Division of Public Safety/Local law enforcement (SB 408) No provision No provision Local provisions must strictly conform to state law (Sec. 48.983(5))	<ul style="list-style-type: none"> License Revocation Enforcement Minimum Age Proof of Age Post Signs Reporting Vending Line of Sight Other

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South Dakota Enforcement Information Request letter from PM sent to: The Honorable Mark W. Barnett Attorney General 500 East Capitol Pierre, SD 57501 2nd letter sent to Barnett 2/29	Adjourned 1/9-3/11/96 No activity this year because of new law in 1995		No provision No provision Sale to Minors --Class 2 Misdemeanor; (SB189; Sec. 26-10-23 & 26-10-24) Purchase and possession by minors prohibited-same Minimum Age = 18 Affirmative Defense --Provides for defense if a retailer relied upon proof of age. (SB189; Sec. 26-10-23 & 26-10-24) No provision Unannounced Inspections --Attorney General in conjunction with local law enforcement or States Attorney (SB189) Vending --Restricted to places where minors don't have access. (SB189) No provision State governs all matters regarding tobacco (H1297) Requires manufacturer's original package with federal warning. (SB 189, 1994) Requires packs of cigarettes to be sold to contain 20 or 25 cigarettes. (Sec10-50-2) Single Stick --Must be in original Man. package (SB189)	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs • Reporting • Vending • Line of Sight • Other

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
Indiana Enforcement Information Request letter from PM sent to: Cheryl Sullivan Secr Family & Social Services Admin, 402 West Washington, P.O. Box 7083 Indianapolis, IN 46207-7083 Response 1/12: From Sullivan. Requires written info. request to Rich Allen, Dir of External Affairs, Family & Social Services Admin. Info will be available 1 mnth after end of federal fiscal year, October 30. Letter sent to Rich Allen 2/29.	Adjourned 1/8-3/13/96 Governor vetoed stating opposition to uniformity and weak agency for enforcement. Designated Dept of Health to develop plan to meet SAMHSA. Retailers opposed to missing AAA elements. S106 (Companion, H1221) 1/8--S106 referred to Senate Agri. & Small Business Cmte. 1/22--Senate Cmte reported S106 with amendment (7-1). Requires original, manufacturer's packaging. 1/31--Senate passed bill (29-21). 2/6--House Commerce Cmte reported to floor (7-2). 2/13--House passed by 64-34 vote, returns to Senate for concurrence. 2/19--Senate refused to concur by vote of 31-16, referred to conference cmte. 3/6--Conference Cmte report issued, bill amended (noted by *). 3/7--Senate passed cmte report by 26-23; House passed by 55- 40. Goes to Governor for action. 3/19--Governor vetoed bill.	 • Unannounced inspections by Division of Mental Health. Prohibits use of minors. • Uniformity-sale, distribution, display. * Amendment to exempt transient merchants. * Prohibit tobacco only stores and tobacco billboards within 200 feet of schools.	No provision No provision Sale to Minors -- Class C Misdemeanor up to \$500 fine (PL125; 122; 209; sec. 35-46-10, 35-46-1-10.5, 34-4-32-4c) Purchase by minors prohibited-same as above. Minimum Age = 18 No provision Warning Sign Required-- Retail & Vending (Sec. 35-46-1-11c, 35- 46-1-11d & e) No provision Vending-- restricted to where minors don't have access (Sec. 35- 46-1-11a, 35-46-1-11b, 35-46-1- 11.5a, 35-46-1-11.5c) No provision	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs • Reporting • Vending • Line of Sight • Other

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Wyoming (Budget Session) Enforcement Information Request letter from PM sent to: (Ms.) Johnnie Burton Executive Director Dept . of Revenue 22 West 25 Street Herschler Bldg. 2 West Cheyenne, WY 82002-0110 Response 1/15: County Attorneys responsible for enforcement. Referred to 23 county courts. Follow-up letter sent to Burton 2/29.	Adjourned 2/19-3/15/96 No activity this year because of budget session		License --Dept of Revenue and Taxation. \$10/ann (Art. 1, Sec. 39- 6-101, 39-6-102) License Revocation --Locality may revoke (Sec 14-3-306) Sale to Minors --Misdemeanor up to \$50; (Sec. 14-3-301, 14-3-302, 14-3-304, 14-3-305) Purchase and possession by minors prohibited- \$25. Minimum Age = 18 Affirmative Defense --Provides for defense if "the person" reasonably relied on an identification card Warning Sign Required (Sec. 14-3-303) No provision Vending --Restricted to where minors don't have access (Sec. 14- 3-303) No provision Localities authorized to require local retail license (Sec 14-3-306)	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs • Reporting • Vending • Line of Sight • Other

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Idaho Enforcement Information Request letter from PM sent to: The Honorable Phil Batt Governor Office of the Governor State Capitol, 2 Floor Boise, ID 83720 2nd letter sent to Governor 2/29	Adjourned Bill defeated 1/9-3/15/96 Retailers opposed to licensing and line of sight provisions. H563 renumbered to H801 H563 referred to House State Affairs Cmte. 2/1/96--Cmte hearing held, referred to subcmte. 2/13--Subcmte reported new bill to full cmte. 2/21--House State Affairs Cmte reported H801 to floor by 12-8 vote. 2/23--House amended bill to provide for local authority. 2/29--House passed by 57-9 vote with local authority amendment. 3/1--Referral to Senate cmte. 3/8--Senate State Affairs Cmte reported bill to "amending order" with recommendation to remove reverse uniformity. 3/13--Senate removed local authority provision. 3/14--Senate passed by 26-10. House defeated on concurrence vote by 49-16.	<ul style="list-style-type: none"> • Repeals current law. Sales/distribution-Misdemeanor, Minor/purchase & possession-misdemeanor (employment exemption) • Affirmative defense • Unannounced inspections under Dept of Law Enforcement through local law enforcement with minors (Expires 7/1/99) • Uniformity-use, sale, marketing, display, distribution • Original, manufacturer's packaging 	License --St. Tax Commission--Retailers \$25 (Code Sec. 63-2502b, 63-2503b, 63-2512c) No provision Sale to Minors --Fine up to \$100 for 1st offense, \$300 or 6 months jail for subsequent; (Code Sec. 18-1502a & 1502b) Purchase by minors prohibited-same as above. Minimum Age = 18 No provision No provision No provision Vending --Restricted to places inaccessible to minors (Code Sec 18-1503) No provision Packs of cigarettes for retail sale must have at least 20 cigarettes & packaged in increments of 5. (Sec 63-2502)	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs • Reporting • Vending • Line of Sight • Other

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Minnesota Enforcement Information Request letter from PM sent to: The Honorable Carlson Governor 130 State Capitol Aurora Avenue St. Paul, MN 55155 Response 1/12: Received from Anne Barry, Commissioner of Dept of Health. Says legislation is expected to be passed in 1996 session, please contact the following after the session-- Cynthia Turnure, Division Director Chemical Dependency Division Dept of Human Services 444 Lafayette Rd. St. Paul, MN 55155 (612)296-4610 Follow-up letter sent to Cynthia Turnure 2/29	1/16-4/3/96 Governor has adopted amendments as Administrative bill. S 558 1/30/96--House Commerce...Cmte approved "delete & replace" amendments (see proposed legis column) to carryover bill S558, defeated motion to repeal uniformity provision (14-12). Cmte reported amended S558 to floor (21-3). 2/1--OK'd on House floor 2nd rdg. 2/27-House passed amendment to remove uniformity provision by 76-54 vote. Sponsor withdrew from consideration, returned to General Orders.	<ul style="list-style-type: none"> Local government required, rather than allowed, to license and establish reasonable fee. Suspend license for 7 days for 3rd or more violations in 2 years. Sanctions--Licensee-up to \$100 for 1st, \$200 for 2nd in 2 years, suspension for 3rd or more, Employee-\$50, Minors for purchase/ possession-\$50. Employee training Affirmative defense if person relied on proof of age. Require warning sign to be posted. 	No provision No provision Sale to Minors --\$3,000 & up to 1 yr jail; (Sec. 609.685, 609.03, 609.0331 & 297.04a) Purchase by minors prohibited-up to \$200. Minimum Age = 18 Affirmative Defense --Provides affirmative defense for retailer if they relied on proof of age (Sec. 609.685, 609.03, 609.0331 & 297.04a) No provision --Vending machines are required to have a warning posted. (Sec. (297.01(14) and 297.04)	<ul style="list-style-type: none"> License Revocation Enforcement Minimum Age Proof of Age Post Signs

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
Minnesota cont'd		<ul style="list-style-type: none"> Local enforcement shall conduct unannounced inspections once every 2 years with minors. Results reported to Commissioner of Human Services. Tobacco within line of sight. Uniformity--no more stricter than state law. Existing ordinances exempted. 	<p>No provision</p> <p>Vending--Restricted to where in plain view of employee (Sec. 325E.075(2))</p> <p>No provision</p> <p>Localities authorized to adopt more stringent restrictions than the state on sales of tobacco and vending machines. (Sec. 325E.075(3) & 297.02(4))</p> <p>Single servings only in tobacco stores</p>	<ul style="list-style-type: none"> Reporting Vending Line of Sight Other

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
Maryland Enforcement Information Request letter from PM sent to: Marion E. Schanze Assistant Director Alcohol & Tobacco Tax Division Comptroller of the Treasury P.O. Box 466 Annapolis, MD 21404 2nd letter sent to Schanze 2/29	1/10-4/8/96 Awaiting introductions		Licensing --Circuit Court Clerk --Retailer \$3/ann; Vendors w/ 40+ machines \$250/ann (Ann. Code Art. 56, Sec 610, 611 & 631) License Revocation --4th offense within 3 years. May not reapply for 3 years. Sale to Minors --\$300 - \$3000; (Art. 27, Sec. 404 & 405, SB 309, Chapter 301.) Purchase by minors prohibited-same as above. Possession by minors prohibited-up to \$25 for 1st, \$100 for subsequent. Minimum Age = 18 Affirmative Defense --Provides for affirmative defense if retailer carded underage purchaser (Art. 27, Sec. 404 & 405, SB 309, Chapter 301.) License must be displayed w/ age and penalty at retail and on vending (Art. 56, Sec 617) No provision No provision No provision	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs • Reporting • Vending • Line of Sight

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
Kentucky ** Enforcement Information Request letter from PM sent to: Todd Warnick Tobacco Control Coordinator Cabinet for Human Resources Dept. for Health Services 275 East Main Street Frankfort, KY 40621 2nd letter sent to Warnick 2/29	1/1-4/12/96 Bill Enacted Supported by Senate President & Chairman of Tobacco Task Force. S 137 1/18/96--S137 referred to Senate Agriculture Cmte 1/25/96--Cmte reported to floor by unanimous vote. 2/7--Senate amended out line of sight provision; passed amended version by 37-0 vote. (Opposed by B & W, UST, STC.) 2/15--House Agriculture & Small Business Cmte reported bill to floor without amendments. 2/22--House passed bill by unanimous vote without amendments. 2/23--Bill delivered to Governor. 3/5--Governor signed bill into law.	<ul style="list-style-type: none"> • Fine of \$100-500 for 1st offense, \$500-1,000 for 2nd & subsequent offenses. Minors/purchase-\$50 & 20 hrs community service for 1st offense, \$200 & 40 hrs for 2nd & subsequent within 1yr • Require proof of age if person appears under 18 • Line of Sight provision 	No provision No provision Sale to Minors --Fine of \$10-25 for 1st offense, \$25-50 for subsequent offenses. (SB 316, 1994; HB 352, 1992; Chapter 438(1), 365) State law does not prohibit purchase by minors, but employee statement says it is illegal. Employee training and affidavit required. Minimum Age = 18 No provision Warning sign required (HB 352, 1992; Chapter 438) Unannounced Inspections --Dept of Agriculture along with local law enforcement. (SB 316, 1994; Chapter 438) Vending --Line of sight of cashier. (SB 316, 1994; Chapter 438) No provision Prohibits local restrictions on the use, sale and distribution. (SB 316, 1994; Chapter 438)	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs • Reporting • Vending • Line of Sight • Other

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Arizona Enforcement Information Request letter from PM sent to: The Honorable Fife Symington Governor 1700 West Washington Executive Tower Phoenix, AZ 85007 Response 2/20: From Jack Dillenberg Director, Dept of Health Services. "Exploring a mechanism to track citations," will keep request on file and alert us when they have a solution. Response letter sent to Dillenberg 3/18.	1/8-4/17/96 S1384 1/30/96--S1384 referred to Senate Government Reform Cmte. 2/13--Cmte reported bill to floor by 4-3 vote. 2/29--Senate amended bill to exempt vending machines and billboards in excess of 650 square feet from uniformity. Other amendments were attached. Defeated amendment to remove uniformity provision. 3/5--Senate passed by 16-14 vote. 3/7--Referred to House Commerce Cmte. 3/19--Cmte reported bill to House Rules Cmte by 9-1 vote. 3/26--House Rules reported to floor.	<ul style="list-style-type: none"> Retail tobacco license-Dept of Liquor Licenses & Control May suspend/ revoke license for 3 or more violations. Employer/employee - \$300 for each, possible defense if training. Minors' purchase/possession-"delinquent" Employee training Require proof of age if believed to be minor Affirmative defenses Unannounced inspections by Dept of Liquor Licenses & Control with minors. Requires vending machines to be supervised or equipped with lock-out device or places inaccessible to minors Uniformity-sale, distribution, adv, promotion, display 	No provision No provision Sale to Minors --Petty offense with a fine up to \$300 for individual, up to \$1,000 for enterprise. (Sec 13-3622) Purchase and possession by minors prohibited-petty offense with fine up to \$300. Minimum Age = 18 No provision No provision No provision No provision No provision	<ul style="list-style-type: none"> License Revocation Enforcement Minimum Age Proof of Age Post Signs Reporting Vending Line of Sight Other

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<p>Maine (Budget Session and Limited Policy Issues)</p> <p>Enforcement Information Request letter from PM sent to:</p> <p>The Honorable Angus S. King, Jr. Governor State House Station 1 Augusta, ME 04333</p> <p>Response 1/24-- Responsibility for reporting violations is with the Office of Substance Abuse, State House Station #57, Augusta, ME 04333 (207)624-6525.</p> <p>Follow-up letter sent to Marleen McMullen-Pelsor of the Office of Substance Abuse 2/29</p>	<p>1/3-4/17/96</p> <p>Budget session--no language expected</p>		<p>License--Dept of Human Services for \$25. (Ch 470, 1995)</p> <p>No provision</p> <p>Sale to Minors--Employee/ employer fine \$50-1,500. (Ch. 470, 1995; Ch. 301, 1993, Ch. 445, 1989; Title 22, Sec 1579) Purchase, poss. and use by minors prohibited--\$100-300 &/or comm. serv. for 1st offense, \$200-500 &/or comm. serv. for 2nd, \$500 &/or comm. serv. for subsequent.</p> <p>Minimum Age = 18</p> <p>No provision--Provides for affirmative defense if fraudulent proof of age presented. (Ch 470, 1995; Ch 301, 1993, Ch 445, 1989; Sec 1579)</p> <p>Warning sign required-- Provided by Dept of Human Services' Bureau of Health at cost. License must be posted. (Ch 470, 1995; Ch301, 1993, Ch 445, 1989; Sec 1579 & 1555)</p> <p>Unannounced Inspections-- Office of Substance Abuse with local law enforcement and "contract officers" OK'd by Dept of Public Safety. (Ch470, 1995)</p>	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs • Reporting

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Maine cont'd			<p>Vending--Constant adult supervision. (Ch 470, 1995; Ch 406, 1993; Ch 127, 1987; Sec 1628)</p> <p>No provision</p> <p>Prohibits localities from imposing limits on displays, product placement and time of sales. (Ch 470, 1995)</p> <p>Requires manufacturer's original, sealed package. (Ch 470, 1995; Sec 1629)</p>	<ul style="list-style-type: none"> • Vending • Line of Sight • Other

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
Nebraska Enforcement Information Request letter from PM sent to: Malcom Heard Director Division of Alcoholism & Drug Abuse P.O. Box 94728 Lincoln, NE 68509-4728 Response 1/11: Division responsible for compliance. Contracts with State Patrol for compliance checks & they write citations. County Attorney is responsible for pursuing conviction. Requested information would have to be acquired from County Attorneys. Follow-up letter to Heard 2/29	1/3-4/18/96 PM bill will not contain line of sight provision, opposed by Grocers. L 1350 1/18/95--Intro L1350, referred to Judiciary Cmte. 2/23--Judiciary Cmte hrg held, no action.	<ul style="list-style-type: none"> • Issuance of license by Dept of Health. Fee set at \$10. • May suspend license for 3rd and subsequent offenses, at discretion of court. • Sanctions-Employee & Employer-Warning for 1st offense, \$50 for subsequent. Minors purchase/use-Warning for 1st offense, \$50 for subsequent, Exempts as part of work. • Retail training with employee affidavit. • Affirmative defense • Post signs • Compliance testing with minors by law enforcement officers • Uniformity-sale, distribution, marketing, display, promotion 	<p>License--Clerk of Finance Directors of city, village or county. Fees based on annual sales and population up to \$100. (Sec 77-2601, 28-1420 through 1422, 28-1424)</p> <p>License revocation for violations of sales laws at discretion of court. (Sec 28-1418, 28-1425, 29-1419, 28-106(1))</p> <p>Sale to Minors--Class III misdemeanor, possible license revocation at discretion of court. (Sec 28-1418, 28-1425, 29-1419, 28-106(1))</p> <p>Minimum Age = 18</p> <p>No provision</p> <p>No provision</p> <p>No provision</p> <p>Vending--Restricted to places of employment not open to general public, establishments that sell alcohol for on-premise consumption. (LB 130, 1992)</p> <p>No provision</p> <p>Localities authorized to impose restrictions on vending machines. (LB 130, 1992)</p>	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs • Reporting • Vending • Line of Sight • Other

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
Vermont Enforcement Information Request letter from PM sent to: Albert Elwell Director of Enforcement Dept. of Liquor Control Green Mountain Drive, Drawer 20 Montpelier, VT 05620-4501 2nd letter sent to Elwell 2/29. Response 3/8: Dept of Liquor Control has records of violations. Other law enforcement agencies also enforce, but their violations may not be reported to Liquor Control.	1/3-4/20/96 Awaiting introductions		License --From municipality. (Title 7, Sec 1002) License suspension may occur. (Title 7, Sec 236) Sale to Minors --Fine up to \$100, license may be subject to suspension. (Title 7, Sec 1007) Purchase by minors prohibited-\$50 &/or 10 hrs comm. serv. Minimum Age = 18 No provision State law must be posted-- Provided by Liquor Control Board with annual license. (Title 7, Sec 1006) No provision Vending --Restricted to places inaccessible to minors and overnight accommodations.) Title 7, Sec 1003(a) & (b)) No provision Localities authorized to restrict vending machines. (Title 7, Sec 1003(c))	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs • Reporting • Vending • Line of Sight • Other

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State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
Iowa Enforcement Information Request letter from PM sent to: The Honorable Terry E. Branstad Governor Executive Office State Capitol Des Moines, IA 50319 2nd letter sent to Governor 2/29	1/8-4/26/96 Awaiting introductions		<p>License--Dept of Revenue & Finance. Fee based on population. (Sec 98.13(1), 98.13(7), 98.13(2)(a))</p> <p>License suspended for 30 days for 2nd offense within 2 years, 60 days for 3rd within 5 years, revocation of license for 4th within 5 years. (HB 232, 1991; Sec 98.2 through 98.5)</p> <p>Sale to Minors--Simple misdemeanor. Fine \$300 for 1st offense, license suspended for 30 days for 2nd offense within 2 years, 60 days for 3rd within 5 years, revocation of license for 4th within 5 years. (HB 232, 1991; Sec 98.2 through 98.5) Purchase and use by minors prohibited-up to \$100 or 30 days jail.</p> <p>Minimum Age = 18</p> <p>No provision</p> <p>No provision</p> <p>No provision</p> <p>Vending--Adult supervision with lock-out device. (HB 232, 1991; Sec 98.36)</p> <p>No provision</p> <p>State law supersedes local laws that are inconsistent. Localities authorized to issue local licenses. (HB 232, 1991; Sec 98.13(2), 98-51)</p>	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs • Reporting • Vending • Line of Sight • Other

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
Florida Enforcement Information Request letter from PM sent to: John Harris Director Division of Alcohol & Tobacco Bureau of Licensing 1940 N. Monroe Street Tallahassee, FL 32994 2nd letter sent to Harris 2/29	3/5-5/3/96 H1 1/4/96--Prefiled H1 & H87, referred to House Juvenile Justice, House Finance & Taxation & House Appropriations Cmtes. 2/24--House Juvenile Justice subcmte combined H1 & H87 under H1, reported to full cmte. 2/21--House Juvenile Justice Cmte reported H1, goes to House Finance & Taxation.	<ul style="list-style-type: none"> Prohibits minors' possession except as part of employment-\$25. Prohibits minors' purchase-\$50. Could suspend driver's license. Allow machines equipped with lock-out devices. 	License --Division of Alcoholic Beverages & Tobacco, Annual fee determined by division up to \$50. (Sec. 569.003) License subject to revocation (Sec 569.006) Sale to Minors --2nd Degree misdemeanor fine up to \$500. (Sec 859.06) Employee training required. (Sec.569.008) Minimum Age = 18 Affirmative Defense --If purchaser appears to be 18 and ID checked. ID=driver's license, state-issued ID card, passport or armed services ID card. (Sec 859.06) Warning sign required --Provided by Division of Alcoholic Beverages & Tobacco. Post Dealer Permit also. (Sec 859.061) Unannounced Inspections --under license provision, retailer consents to inspections and search by Division of Alcoholic Beverages & Tobacco. (Sec. 569.004) Vending --Unobstructed line of sight. (SB 152-H, 1992) No provision Prohibits sale of single or loose cigarettes. (Sec 210.04(6))	<ul style="list-style-type: none"> License Revocation Enforcement Minimum Age Proof of Age Post Signs Reporting Vending Line of Sight Other

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
Hawaii Enforcement Information Request letter from PM sent to: Julian Lipsher Dept. of Health 952 N. King Street Honolulu, HI 96817 Response 1/22: Section 709-908 provides that local jurisdictions enforce the statute. Any convictions would be recorded by county police departments. State efforts have focused on awareness and education, not on fines, penalties or convictions. Follow-up letter sent to Lipsher 2/29	1/17-5/3/96 H3410 Substitute amendment may be introduced first week of April. Bills died Bills must be in last cmte by 2/16, and to floor 1st week in March. H3783 1/22/96--H3783 referred to House Intergovernmental Cmte, House Consumer Protection & Judiciary Cmte, and House Finance Cmte. 3/8--Cmte did not report bill before deadline. Bill is dead. S3049 1/22--S3049 referred to Senate Health Cmte and Senate Consumer Protection Cmte. 2/5--Senate Health Cmte hearing held. No action taken. 3/8--Cmte did not report bill before deadline. Bill is dead.	<ul style="list-style-type: none"> • Retail license from Liquor Commission-Fee \$50 • May suspend license for up to 30 days for 3 or more violations • Sanctions--Same as current law. Minors purchase/receipt-\$10 for 1st offense, \$50 for subsequent, exempt for work Employee training/ affidavit • Require proof of age if appears to be under 18. • Affirmative defense • Post signage • Attorney General with Liquor Commission shall conduct unannounced inspections with minors 	License --Unclear as to "dealer" license and its application to retailer. Dept of Treasury, Annual \$2.50. (Sec 245-1, 245-2) No provision Sale to Minors --Fine up to \$100 for 1st offense, \$100-1,000 for subsequent. (Sec 709-908(1)) Purchase by minors prohibited-\$10 for 1st offense, \$50 or 48-72 hrs community service for subsequent. Minimum Age = 18 No provision Warning sign required (Sec 709-908(2)) No provision	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs • Reporting

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
Hawaii cont'd		<ul style="list-style-type: none"> • Require vending machines to be equipped with lock-out device (Not in draft) • Lline-of-sight provision • Uniformity-sale, distribution, display, use, advertising, promotion. Require original, manufacturer's packaging. Prohibit sampling within 1,000 feet of schools, etc. (To be removed from draft) 	Vending --Restricted to bars, cabarets or other places that prohibit minors. (SB 1567, 1991; Chapter 328K, new section) No provision	<ul style="list-style-type: none"> • Vending • Line of Sight • Other

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
Mississippi Enforcement Information Request letter from PM sent to: The Honorable Kirk Fordice Governor P.O. Box 139 Jackson, MS 39205 2nd letter sent to Governor 2/29	1/2-5/5/96 Deadline for cmte to report bills to floor has passed. Support from retail community for proof of age requirement and line of sight provision. Opposed by STC. Licensing and revocation opposed by retail. Continue to look for vehicles that can be amended with proof of age and line of sight requirements.		No provision No provision Sale to Minors --Misdemeanor with fine of \$20-100. (HB 1268, 1994; Sec 97-5-25) Minimum Age = 18 Employee statement requires proof of age if purchaser appears to be under 18. (HB 1268, 1994; Sec 97-5-25) Warning sign required (HB 1268, 1994; Sec 97-5-25) Unannounced Inspections --Commissioner of Public Safety along with local law enforcement. (HB 1268, 1994; Sec 97-5-25) Vending --Constant supervision. (HB 1268, 1994; Sec 97-5-25) No provision Supersedes local laws on use, sale, promotion and distribution. (HB 1268, 1994; Sec 97-5-25) Requires manufacturer's original, sealed package. (HB 1268, 1994; Sec97-5-25)	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs • Reporting • Vending • Line of Sight • Other

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
Kansas Enforcement Information Request letter from PM sent to: The Honorable Bill Graves Governor State Capitol Bldg. Topeka, KS 66612 2nd letter sent to Governor 2/29 Response 3/19: From Andrew O'Donovan, Dept of Social & Rehabilitation Services. Responsible for block grant. Will provide info on compliance checks, but not enforcement and convictions.	1/8-5/6/96 Carryover H2544 passed House during 1995 session, referred to Senate Federal & State Affairs Cmte at opening of 1996 session. H2544 1/30--Senate Federal & State Affairs Cmte heard bill. 3/19--Cmte amended bill (marked by *) and reported to floor. 3/21--Senate amended bill on 2nd reading to include uniformity provision by 20-14 vote. 3/28--Senate removed uniformity provision by 39-1 vote on reconsideration. Passed bill by 40-0 vote; goes to House for concurrence.	<ul style="list-style-type: none"> * Increase license fee to \$25. <ul style="list-style-type: none"> Sanctions-Misdemeanor & fine of \$500-2,500 &/or up to 1 yr imprisonment. Minors/purchase or possession-not subject to fine or jail * \$25 Affirmative defense-* also applies to mail order if written documentation exists. Requires warning signs Prohibits use of minors to test compliance unless an officer authorized to enforce this act. Requires vending machines to be equipped with lock-out device or restricted to places inaccessible to minors <p>* Uniformity</p> <ul style="list-style-type: none"> Ban sampling within 500 feet of schools. 	<p>License--Director of Taxation. Biennium \$12. (Sec 79-3303, 79-3304(a), 79-3304(f), 79-3304(h), 79-3304(i))</p> <p>License revocation possible for distribution, not sales to minors. (Sec 79-3390, 79-3321, 79-3322)</p> <p>Sale to Minors--Fine up to \$1,000 and/or imprisonment for up to 1 year. (Sec. 79-3390, 79-3321, 79-3322)</p> <p>Minimum Age = 18</p> <p>No provision</p> <p>No provision</p> <p>No provision</p> <p>No provision</p> <p>No provision</p>	<ul style="list-style-type: none"> License Revocation Enforcement Minimum Age Proof of Age Post Signs Reporting Vending Line of Sight Other

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
Colorado Enforcement Information Request letter from PM sent to: The Honorable Gale Norton Attorney General 1525 Sherman Street, 5th Floor Denver, CO 80203 Response 1/9: No centralized system for collecting information. Individual district attorneys may keep such information. Follow-up letter sent to Norton 2/29	1/10-5/8/96 S 213 3/12/96--Introduced and referred to Senate Business Affairs Cmte. 3/18--Cmte approved bill on 6-2 vote with an amendment to add the word "cigarettes" to the uniformity clause. Referred to Senate Appropriations Cmte.	<ul style="list-style-type: none"> Require retail/vending license from Liquor Enforcement Division-Annual up to \$25. May suspend for up to 60 days for 4th offense in 2 yrs, revoke for 2 yrs for 5th offense in 2 yrs. Sanctions-Employee \$200 for 1st offense, \$250 for 2nd, \$500 for 3rd, \$1,000 for 4th & sub offenses within 2-yr period. Employer-warning for 1st offense, \$100 for 2nd in 2 yrs, \$500 for 3rd. Unannounced Inspections by Liquor Enforcement Division. May use minors. Uniformity-sale, distribution, licensure, advertising, promotion, display. 	No provision No provision Sale to Minors --Class 2 petty offense with a fine of \$200. (Sec 18-13-121) Purchase by minors prohibited--\$50 or community service. Minimum Age = 18 Affirmative Defense --Provides for affirmative defense if purchaser presented document with age on it. (Sec 18-13-121) Warning sign required (Sec 18-13-121) No provision Vending --Constant supervision. (Sec 18-13-121) No provision Local Authority over the sale of tobacco products. (Sec 18-13-121)	<ul style="list-style-type: none"> License Revocation Enforcement Minimum Age Proof of Age Post Signs Reporting Vending Line of Sight Other
Connecticut (Budget and Committee Bills) Enforcement Information Request letter	2/7-5/8/96 Draft bill awaits introduction.	<ul style="list-style-type: none"> Allows for suspension/revocation. Requires it for 3 or more offenses within 2 yr period. 	License --Commissioner of Revenue Services, Annual \$10. (Act 92-66, 1992; Sec 12-286) No provision	<ul style="list-style-type: none"> License Revocation

As of March 25, 1996 -- 11:00 am

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State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
Alaska Enforcement Information Request letter from PM sent to: The Honorable Tony Knowles Governor Office of the Governor P.O. Box 11001 Juneau, AK 99811- 0001 Response 1/16: From Dean J. Guaneli, Chief Asst Attorney General. Central criminal record keeping is Dept of Public Safety, Records & Information Section, 5700 E. Tudor Rd, Anchorage, AK 99507-1225. Follow-up sent to Dept of Public Safety 2/29	1/8-5/9/96 Awaiting introductions		License - Dept of Revenue - Annual \$25 (Sec. 43.050.010(a), 43.050.020, 43.050.010- 43.050.180(1)) Allows for license suspension/ revocation Sale to Minors --Fines up to \$300, possible license revocation. (Sec. 11.76.100(a)(1), 43.050.070) Possession by minors prohibited. Minimum Age = 19 No provision Warning sign required-- Provided by Dept of Revenue. (HB 84, 1992; Sec 43.70.075) No provision Vending --Requires supervision. (Sec 11.76.100) No provision	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs • Reporting • Vending • Line of sight

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
Tennessee Enforcement Information Request letter from PM sent to: Dan Wheeler Commissioner Dept. of Revenue Ellington Agricultural Center P.O. Box 40627 Nashville, TN 37204 Response 1/5: Correct dept--Dept of Agriculture. Funding for enforcement not provided. Until it exists, "there probably will be no enforcement action." Signage, original packaging and supervised vending machine requirements are being monitored in conjunction with sanitation inspections of food stores and food service establishments. Follow-up letter sent to Wheeler 2/29	1/9-5/16/96		No provision No provision Sale to Minors --Class A misdemeanor--fine up to \$2,500, 3 violations by employee--5-yr ban on sale or possession. Owner may be penalized if allowed sale. (HB 2395, 1994; Sec 39-15-408, 39-15-409) Purchase by and on behalf of a minor prohibited--\$50 or 25 hrs comm. serv. for 1st offense, \$50 & 50 hrs comm. serv. Minimum Age = 18 Requires proof of age if appears to be under 18. Proof of age is defined as driver's license or other ID that has a picture. (HB2395, 1994; Sec 39-15-408, 39-15-409) Warning sign required (HB 2395, 1994; Sec 39-15-411) Unannounced Inspections -- Dept of Agriculture. (HB2395, 1994) Vending --Requires supervision. (HB 2395, 1994) No provision State law occupied entire field of tobacco legislation. (HB 2395, 1994) Requires manufacturer's original, sealed package with federal warning. (HB 2395, 1994)	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs • Reporting • Vending • Line of sight • Other

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
Missouri Enforcement Information Request letter from PM sent to: The Honorable Mel Carnahan Governor Room 216 State Capitol Bldg. Jefferson City, MO 65101 2nd letter sent to Governor 2/29	1/3-5/17/96 Other manufacturers and retailers oppose line-of-sight provision; bill will not include. S831 1/23/96--S831 referred to Senate Public Health Cmte. 1/29--Senate Public Health Cmte amended S831. Amended definition of tobacco products, requires law on vending machines, lowered fines. 2/1--Cmte reported S831 to floor (6-4) with another amendment to change "family member" to "parents" under sale/distribution allowances. Attempts to repeal uniformity failed. H1247 1/23--Introduced. 2/13--House Public Health Cmte hrg held, no action taken. 2/20--Cmte voted "do pass" by 7-2 and reported it to the floor. Alternative bill that may be used is H775, referred to House Civil & Criminal Law Cmte.	<ul style="list-style-type: none"> • License--Annual \$25 • Suspends 3 days for 2nd offense in 2 yrs, up to 7 days for 3rd, 9-21 days for sub. in 2 yrs. • Sanctions on employees--\$100 for 1st offense in 2 yrs, \$250 for 2nd, \$500 for 3rd, \$1,000 for subsequent in 2 yrs. Minors purchase/receipt--\$25/10 hrs comm serv,\$50/20 hrs • Require proof of age if person appears to be under 18 • Affirmative defense • Post signs • Random inspections using minors. Supervised by Dept of Alcohol & Tobacco Control • Requires vending machines to be supervised, equipped with lock-out device or restricted to areas inaccessible to minors • Uniformity-sale, use, distribution, display, sampling, promotion. • Require original, manufacturers packaging. Prohibit sampling within 500 feet of schools, etc. 	No provision No provision Sale to Minors --Fine for 1st offense \$25, 2nd \$100, subsequent \$250. (SB 509, 1992) Minimum Age = 18 Requires proof of age if appears to be under 18. Proof of age is defined as driver's license or other ID that has a picture. (SB 509, 1992) Warning sign required (SB 509, 1992) No provision No provision No provision Local Authority (SB509, 1992; Sec 71.740)	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs • Reporting • Vending • Line of sight • Other

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
Alabama Enforcement Information Request letter from PM sent to: Robert Leavell Administrator Alcoholic Beverage Control Board 2715 Gunter Park Dr., West Montgomery, AL 36109 2nd letter sent to Leavell 2/29 Response to 2/29: From Barry Cravey, Asst Dir, ABC, on 3/5. Do not keep record of store/ owner, only individual, which cannot be released. Support S268, then can address request.	2/6-5/20/96 H112/H18 2/6/96--Both bills introduced and referred to House State Administration Cmte. S268 2/6/96--Introduced and referred to Senate Governmental Affairs Cmte. 2/29--Senate Cmte reported bill to floor.	<ul style="list-style-type: none"> Requires retail tobacco permit from Alcoholic Beverage Control Board. May combine tobacco licensing with alcoholic licensing May suspend/revoke for cause Minors' possession/purchase ban, exempts employment if person 21 or older present. May attend "responsible vendor program." Alcoholic Beverage Control Board with law enforcement shall enforce state/federal laws. May conduct unannounced inspections and may use minors. Local authority. Requires original, manufacturer's packaging. 	License --Dept of Revenue "Privilege license tax" based on population. (Sec 40-12-72, 40-12- 176(a), 40-25-2(a)) No provision Sale to Minors --Fines \$10-50. May be imprisoned or sentenced to hard labor for 30 days. (Sec 13A-12- 3, 26-101(a)) Minimum Age = 19 No provision No provision No provision No provision No provision No provision Localities authorized to impose "License tax" on vending machines. (Sec 11-51-98)	<ul style="list-style-type: none"> License Revocation Enforcement Minimum Age Proof of Age Post Signs Reporting Vending Line of sight Other

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
Rhode Island Enforcement Information Request letter from PM sent to: The Honorable Lincoln Almond Governor State House Providence, RI 02903 Response 2/7: From David Darlington, Dir. of Intergovernmental Relations. Dept of Health has "statistical information on citations," but does not collect info on final fines or convictions, nor does the state plan to collect such info. Municipalities may have info. Follow-up letter sent to Darlington 2/29 Response 3/25: Violations are kept by local police departments and the 6th District Court.	1/2-5/29/96 H8348 2/6/96--Introduced and referred to House Judiciary Cmte. 4/2--House Judiciary Cmte hearing scheduled. Amendments to provide for unannounced inspections await action.	<ul style="list-style-type: none"> Suspend license for up to 14 days for 3rd violation within 60 days, for up to 14 days for 4th violation within 1 year. Sanctions--warning for 1st offense, \$200 for 2nd, \$300 for 3rd offense, \$400 for 4th. Affirmative defense. Allows minors to purchase as part of enforcement, government or private research. Uniformity--state given responsibility of sales and marketing of tobacco products. 	License --Tax Administrator, Annual \$5 (Sec 44-20-2, 44-20-7) Suspends license for up to 90 days for 3rd violation of sales to minors laws within 60 days. (Sec 11-9-13, 11-9-14) Sale to Minors --Fine for 1st offense \$100, 2nd within 30 days \$200, 3rd within 60 days \$300/license suspension for up to 90 days. (Sec 11-9-13, 11-9-14) Purchase by minors prohibited-same as above. Minimum Age = 18 No provision State law posted --Dept of Health at cost. (Sec 11-9-13) No provision Vending --Located in direct line-of-sight and equipped with lock-out device, except bars. (SB 1056, 1995) No provision Prohibits sale of cigarettes in packs of less than 20. Specifically bans singles. (SB 1056, 1995; Sec44-20-31)	<ul style="list-style-type: none"> License Revocation Enforcement Minimum Age Proof of Age Post Signs Reporting Vending Line of sight Other

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
Oklahoma Enforcement Information Request letter from PM sent to: Ron L. Willis Director Alcohol Beverage Law Enforcement Commission 4545 N. Lincoln St., Suite 270 Oklahoma City, OK 73105 2nd letter sent to Willis 2/29	2/5-5/31/96		License --Tax Commission, Annual \$25 (Sec 304(a) & (b), 304(d)(2), 316 (b)(2), 1504) No provision Sale to Minors --Fine for 1st offense \$25, 2nd within 1 year \$50, subsequent within 1 year \$75. (SB1130, 1994; Title 21 Sec 1241, 1242; Title 15 Sec 13) Purchase by minors prohibited--\$25 for 1st offense, \$50 for subsequent in 1 yr. Possession by minors prohibited-- must disclose where received. Minimum Age = 18 Requires proof of age if appears to be under 18. Proof of age is defined as driver's license or other ID that has a picture. (SB1130, 1994; Title 21 Sec 1241, 1242; Title 15 Sec 13) Warning sign required (SB1130, 1994) Unannounced Inspections -- Alcoholic Beverage Laws Enforcement Commission with minors (SB 1130, 1994)	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs • Reporting

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
Oklahoma (Continued)			<p>Vending--Continuous supervision. (SB 1130, 1994)</p> <p>No provision</p> <p>State law supersedes local restrictions on sale, purchase, distribution, advertising, sampling, promotion, display, possession, licensing, and taxation. (SB1130, 1994)</p> <p>Requires manufacturer's original, sealed package. (SB 1130, 1994)</p>	<ul style="list-style-type: none"> • Vending • Line of sight • Other

State
(By Adjourn. Date)

Legislative Status

Proposed 1996
Legislation

Current Law

AAA Legislative
Objectives

<p>South Carolina</p> <p>Enforcement Information Request letter from PM sent to:</p> <p>Burnet R. Mayback, III Director Dept. of Revenue 301 Gervais St. Columbia, SC 29201</p> <p>Response 1/8: Dept of Revenue has no jurisdiction. Letter forwarded to Court Administration, "which may have some information."</p> <p>Follow-up letter sent to Governor 2/29</p>	<p>1/9-6/6/96</p> <p>H3201 Carryover bill from 1995.</p> <p>1/9/96--Awaits action on Senate floor.</p>	<ul style="list-style-type: none"> • Unannounced inspections by Dept of Revenue & Taxation. May use minors. • Uniformity-sale, use, display, distribution and promotion. Exempts government buildings. 	<p>No provision</p> <p>No provision</p> <p>Sale to Minors--Fine of \$25-100 and/or imprisonment for 2-12 months. (Sec. 16-17-500)</p> <p>Minimum Age = 18</p> <p>No provision</p> <p>No provision</p> <p>No provision</p> <p>No provision</p> <p>No provision</p> <p>No provision</p>	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs • Reporting • Vending • Line of sight • Other
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State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
Louisiana (Fiscal Session) Enforcement Information Request letter from PM sent to: Terry Pitre (Mr.) Commissioner Office of Alcoholic Beverage Control 1885 Wooddale Blvd. Baton Rouge, LA 70806 2nd letter sent to Pitre 2/29	4/29-6/12/96 No activity this year because of fiscal session		No provision No provision Sale to Minors --Fines for 1st offense up to \$50, 2nd up to \$100, 3rd up to \$250, subsequent up to \$400. (SB130, Act 64,1994; Sec 14:91.7, 14:91.6) Purchase by minors prohibited-same as above. Minimum Age = 18 No provision Warning sign required (SB130, Act 64, 1994) Unannounced Inspections -- Alcoholic Beverage Control along with local law enforcement (SB 130, Act 64,1994) No provision No provision State law supersedes local restrictions on sale, promotion and distribution. (SB 130, 1994; Act 64)	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs • Reporting • Vending • Line of sight • Other

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
North Carolina (Fiscal Session) Enforcement Information Request letter from PM sent to: Sally Herndon Malek MPH Manager Smoke & Health Branch ASSIST Project Dept. of Environmental Health & Natural Resources P.O. Box 27687 Raleigh, NC 27611- 7687 Response 1/23: Referred to Dept of Human Resources, the entity responsible for SAMHSA regulations. Follow-up letter sent to C. Robin Britt, Dept of Human Resources 2/29	5/13-6/21/96 No activity this year because of fiscal session		No provision No provision Sale to Minors --Class 2 misdemeanor. (Chapter 241, HB 766, 1995; HB 852, 1991; Sec 14- 313) Purchase by minors prohibited-infraction. Minimum Age = 18 No provision No provision Unannounced Inspections -- Dept of Human Resources with local law enforcement. (Chapter 241, HB 766, 1995) No provision No provision State law supersedes local restrictions on sale, distribution, promotion and display after 9/1/95. (Chapter 241, HB 766, 1995)	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs • Reporting • Vending • Line of sight • Other

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
Delaware Enforcement Information Request letter from PM sent to: William Remington Director Division of Revenue Carvel State Office Bldg. 820 N. French St. Wilmington, DE 19801 2nd letter sent to Remington 2/29	1/9-6/30/96 H440 1/25/96--H440 Introduced and referred to House Judiciary Cmte. 3/12--House Cmte reported bill to floor. 3/28--House passed bill with amendment to provide for uniformity by 41-0 vote. Referred to Senate Health & Social Services Cmte.	<ul style="list-style-type: none"> Allows suspension to 6 mnths for 2nd and sub. in 12 mnths Employer-\$250 for 1st, \$500 for 2nd, \$1,000 for sub. Minors' purchase-\$50 or 25 hrs serv, \$50 & 50 hrs comm serv for 2nd & sub in 1 yr. Affirmative defense Warning signs Unannounced inspections by Dept of Public Safety with law enforcement and allows use of minors Restricts machines to taprooms, taverns, tobacco shops or places minors not permitted by law Local authority * Uniform state law. Requires sealed, manufacturer's packaging 	License --Dept of Finance, Annual \$5 (Sec 5307-5308) Allows for license revocation (Sec 5313) Sale to Minors --Class B misdemeanor, fine up to \$500 for individuals, up to \$2,000 for corporations. Possible 6 month incarceration. (Sec 1106(1), 4206(b), 4207(b), 4208(3)) Minimum Age = 18 No provision No provision No provision No provision No provision	<ul style="list-style-type: none"> License Revocation Enforcement Minimum Age Proof of Age Post Signs Reporting Vending Line of sight Other

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New Hampshire Enforcement Information Request letter from PM sent to: Edward Dame Dir. of Collections Division Dept. of Revenue Administration 61 South Spring St. Concord, NH 03301 2nd letter sent to Dame 2/29	1/3-7/1/96 Awaiting introductions		License --Tax Commission, Annual \$5 (Sec 78.2, 78.6) No provision Sale to Minors --Fine of \$100. (HB 650, 1995; Sec 78:12-b, 78:12-c, 78:6) Purchase and possession by minors prohibited--\$100 or 20 hrs community service. Minimum Age = 18 No provision Warning sign required -- Commissioner of Revenue to provide with license. (Sec 78:12-b) No provision Vending --Supervised to determine age of purchaser. (HB 650, 1995) No provision	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs • Reporting • Vending • Line of sight

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California Enforcement Information Request letter from PM sent to: Sandra Smolley Secretary Health & Welfare 1600 9th St., Room 460 sacramento, CA 95814 2nd letter sent to Smolley 2/29	1/3-8/31/96 Retailers opposed to licensing and other AAA provisions. Will assess opportunities as other legislation is introduced.		No provision No provision Sale to Minors --Penalty on employer--\$200-300 for 1st offense, \$600-900 for 2nd within 5 years, \$1,200-1,800 for 3rd, \$3,000-4,000 for 4th, \$5,000-6,000 for subsequent offenses within 5 years. (SB 1927, 1994; Sec 308(a) & (b)) Purchase by minors prohibited-\$50 or 25 hrs community service. Minimum Age = 18 Requires proof of age if person appears to be under 18. (SB 1927, 1994; Sec 308(a) & (b)) Warning sign required --Dept of Health Services to establish sign requirements, must include 800 number to report violations. Must post state law. (SB 1927, 1994; Sec 308) Unannounced Inspections -- Department of Health Services with State Department. (SB 1927, 1994) Vending--New law signed by Governor 12/95 No provision Requires manufacturer's original packaging with federal warning. (Sec 308.2)	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs • Reporting • Vending • Line of sight • Other

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Illinois Enforcement Information Request letter from PM sent to: The Honorable Jim Edgar Governor 207 State House Springfield, IL 62706 Response 1/23: From David A. Kelm, Asst to the Governor. Liquor Control Commission responsible for tracking convictions. Contact Director Arabel Rosales (312)814-3930 or write to James R. Thompson Center, 100 W. Randolph, Suite 5-300, Chicago, IL 60601 Follow-up PM letter sent to Rosales 2/29 Response from Rosales 3/20: Do not have system to maintain. Use "mock- purchase" to check compliance.	1/10-12/31/96 Awaiting draft language		No provision No provision Sale to Minors --Fine for 1st offense \$200, 2nd within 1 year \$400, subsequent within 1 year \$600. (HB 1576, 1993; Sec 2357- 8, 2358-1, 2358-24, 2358-32) Purchase by minors prohibited-same as above. Minimum Age = 18 No provision Warning sign required (SB 784, 1991) Unannounced Inspections -- Liquor Control Commission (HB 1576, 1993) Vending --Direct Supervision (Public Act 181, SB 717, 1995) No provision	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs • Reporting • Vending • Line of sight • Other

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
Massachusetts Enforcement Information Request letter from PM sent to: Gus Rancatore Dept. of Revenue Executive Office for Administration & Finance 100 Cambridge St. Room 806 Boston, MA 02202 2nd letter sent to Rancatore 2/29	1/3-12/31/96 Awaiting introductions		Localities authorized to require local retail license. (Chapter 64C, Sec 2, 10) License --Dept of Revenue, fees determined annually. (Chapter 64C, Sec 2, 10) License application denied after 4 violations within 3-year period. (Chapter 270, Sec 6) Sale to Minors --Fine for 1st offense at least \$100, 2nd at least \$200, subsequent at least \$300. License application denied after 4 violations within 3 years. (Chapter 270, Sec 6) Minimum Age = 18 No provision State law must be posted (Chapter 270, Sec 7) No provision No provision No provision	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs • Reporting • Vending • Line of sight

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Michigan Enforcement Information Request letter from PM sent to: The Honorable John Engler Governor State Capitol Bldg. P.O. Box 30013 Lansing, MI 48909 Response 1/17: From James K. Haveman, Jr., Acting Dir. of Dept of Public Health. Few convictions, thus not tracked by this Dept. Try the State Police Uniform Crime Reporting System at (517)322-1150 Follow-up letter sent to Haveman 2/29	1/10-12/31/96 Carryover S730 awaits action in House. S 730 2/7/96--House Local Government Cmte reported bill to floor by 7-0 vote. 2/27--House amendment to repeal uniformity passed by 70-32 vote. 2/29--House passed with amendment by 83-23 vote; returns to Senate for concurrence. 3/5--Senate refused to concur by 21-15 vote against. Bill goes to conference cmte.	As passed Senate (11/30/95) <ul style="list-style-type: none"> Sanctions--Employee-\$150 if training provided, Minors for purchase/ possession/use-\$100 (except for employment). May only convict retailer if minor convicted. Employee training, employee certification <ul style="list-style-type: none"> Affirmative defense if person relied on proof of age or training not provided <ul style="list-style-type: none"> Requires warning sign to be posted. <ul style="list-style-type: none"> Dept. of Public Health, with local enforcement, shall conduct unannounced inspections with minors 	No provision-- No provision Sale to Minors --Fine of \$50 (Sec 25.281-25.285, 7.411(5)) Possession by minors prohibited-\$50. Sign says purchase by minors prohibited. Minimum Age = 18 No provision Warning sign required --Dept of Public Health will provide. (Act 327, HB 5104, 1993) No provision	<ul style="list-style-type: none"> License Revocation Enforcement <ul style="list-style-type: none"> Minimum Age Proof of Age <ul style="list-style-type: none"> Post Signs Reporting

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
Michigan cont'd		<ul style="list-style-type: none"> • Single packs of cigarettes within plain view of cashier or behind counter (exempts tobacco stores). • Prohibits sale of cigarettes separate from package, or in packs of less than 20 (exempts tobacco stores). 	<p>Vending--Restricted to places inaccessible to minors or with a Class C liquor license. (HB 5017, 1992; Sec 470)</p> <p>No provision</p> <p>State law prohibits local restrictions on sale or licensure of tobacco products. (Act 327, HB 5104, 1993)</p> <p>Prohibits sale of cigarettes separate from package, except in tobacco specialty stores. (Act 31, HB 5225, 1992)</p>	<ul style="list-style-type: none"> • Vending • Line of sight • Other

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New Jersey Enforcement Information Request letter from PM sent to: Harvey Brooks Dir. of Miscellaneous Tax Division Dept. of Treasury Division of Taxation 50 Barrack St Trenton, NJ 08646 2nd PM letter sent to Brooks 2/29 Response 3/11: Forwarded to Joseph Flynn, Chief Criminal Investigations. PM letter to Flynn 3/21.	1/9-12/31/96 Awaiting language		License --Division of Taxation, Annual \$40 in 1996, \$50 in subsequent years. (S1186, 1995; Sec 54:40A-s, A-3, A-4, A-24) No provision Sale to Minors --Fine of \$250. (Sec 2A:170-51) Minimum Age = 18 No provision Warning sign required (Sec 54:40A-4.1) Unannounced Inspections -- Commissioner of Health will issue grants funded by license fees to local health depts for enforcement and inspections. (S1186, 1995) Vending --Ban on property used for school purposes and owned by school board. (Sec 18A:40A-1) No provision	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs • Reporting • Vending • Line of sight • Other

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New York Enforcement Information Request letter from PM sent to: David Momrow State of NY Dept. of Health Corning Tower Empire State Plaza Albany, NY 12237 2nd letter sent to Momrow 2/29 Response 3/20: Federal & state law does not require tracking of violations. Enforcement is through county health departments.	1/3-12/31/96		<p>License--Commissioner of Taxation & Finance, one-time "registration" for \$300. (Sec 489, 470(7-9))</p> <p>License suspension for one year with 3 violations within 2-year period. (SB 4183-B, 1994; AB3900-E, 1993)</p> <p>Sale to Minors--Fine for 1st offense \$100-300, subsequent \$1,000. One-year license suspension for 3 violations within 2-year period. (SB 4183-B, 1994; AB3900-E, 1993)</p> <p>Minimum Age = 18</p> <p>Requires proof of age if person appears to be under 25. Proof of age must be photo ID issued by government entity or educational institution. Appearance is not a defense. (SB 4183-B, 1994; AB3900-E, 1993)</p> <p>Warning sign required (SB 4183-B, 1994; AB3900-E, 1993)</p> <p>No provision</p>	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs • Reporting

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
New York (Continued)			<p>Vending--Restricts to bars or bar areas of restaurants with on-premise liquor license, private clubs, tobacco businesses, places of employment not open to public. (AB 3900-E, 1993)</p> <p>No provision</p> <p>State law supersedes local restrictions on distribution of samples or coupons. (AB 3900-E, 1993)</p> <p>Prohibits sale of out-of-package cigarettes. (AB 7139-E, 1994)</p>	<ul style="list-style-type: none"> • Vending • Line of sight • Other